

REMARKS/ARGUMENTS

Claims 20-25, 27, and 30-38 remain in this application. Claim 20 has been amended to include the subject matter of claims 28 and 29. Claims 1-19, 26, 28, and 29 have been cancelled.

Independent claim 20, as amended, recites a device for optically scanning a medium. The device includes, among other elements, deflection mirror means, drive means coupled to the deflection mirror means and wherein the deflection mirror means is provided with at least one compensation mass means adapted to compensate for imbalances during rotation so that the axis of rotation coincides with a principal axis of inertia of a combination consisting of the deflection mirror means and the fitting. Note that these features may also be found in independent claims 32, 34, and 37.

The Examiner suggests that the positioning member 12 B of Ishizuka has a discrete mass and fixes the polygon mirror in the radial direction. However, Ishizuka does not teach that the compensation mass compensates for imbalances during rotation so that the axis of rotation coincides with the principal axis of inertia of a combination consisting of the deflection mirror means and the fitting. The positioning member 12 B of Ishizuka is made of an elastic material and pushes away the polygon mirror towards the outer peripheral side thereof (col. 7, lines 23-27). This feature prevents the polygon mirror from being displaced in the radial direction. However, according to the claimed invention, the compensation mass is provided in a way so that the axis of rotation coincides with a principal axis of inertia of a combination consisting of the deflection mirror means and the fitting. It is not suggested by Ishizuka to make the axis of rotation and a principal axis of inertia coincident.

Further, applicants maintain that there is no suggestion to combine the references. The Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion or motivation to do so either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. According to the Examiner, one would have been motivated to combine Ishizuka and Pera so that a laser beam at the outlet of a device could describe a squashed annular

trajectory substantially comparable to a straight line segment to enable easy adjustment of both the amplitude and orientation of an annular trace. According to Ishizuka, a polygon mirror is used. According to Pera, two tilted mirrors rotating at the same speed and a stationary mirror are used. There seems to be no sensible motivation to combine the set up of Ishizuka with the set up of Pera, since this would result in a set up with multiple mirrors. On the other hand, if the examiner meant to replace the polygon mirror of Ishizuka with the mirror set up of Pera there would no longer be any positioning member.

Further, claim 20, as amended, provides that the position of the compensation mass means relative to the deflection mirror means can be adjusted, the deflection mirror means can be pivoted about a pivot axis perpendicular to the axis of rotation, and the compensation mass means is pivotable relative to the deflection mirror means about the pivot axis of the deflection mirror means.

In accordance with the claimed invention, the compensation mass element is provided so that the principal axis of inertia of the deflection mirror together with a compensation mass element is identical to the axis of rotation. None of the citations discloses that the position of the compensation mass relative to the deflection mirror means can be adjusted wherein the compensation mass is pivotable relative to the deflection mirror means about the pivot axis of the deflection mirror means. Even though the Examiner is of the opinion that Ishizuka discloses these features (see page 5 of the office action) applicants cannot find this disclosure in the indicated part of Ishizuka.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 20-25, 27, and 30-38) are now in condition for allowance.

Respectfully submitted,

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